

HONORABLE JAMES L. ROBART

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MICROSOFT CORPORATION, a  
Washington corporation,

Plaintiff,

v.

MOTOROLA, INC., and MOTOROLA  
MOBILITY, INC., and GENERAL  
INSTRUMENT CORPORATION,

Defendants.

No. C10-1823-JLR

[PROPOSED]  
ORDER GRANTING AGREED  
MOTION FOR LEAVE TO ENLARGE  
THE CLAIM CONSTRUCTION  
BRIEFING AND NUMBER OF TERMS  
TO BE CONSTRUED

MOTOROLA MOBILITY, INC., and  
GENERAL INSTRUMENT  
CORPORATION,

Plaintiffs/Counterclaim Defendant,

v.

MICROSOFT CORPORATION,

Defendant/Counterclaim Plaintiff.

Having considered the parties' Agreed Motion For Leave To Enlarge The Claim  
Construction Briefing And Number Of Terms To Be Construed (the "Agreed Motion"), the  
Court finds that addressing the agreed upon 31 most important disputed claim terms during the

[PROPOSED] ORDER GRANTING AGREED  
MOTION FOR LEAVE TO ENLARGE THE  
CLAIM CONSTRUCTION BRIEFING AND  
NUMBER OF TERMS TO BE CONSTRUED - 1

LAW OFFICES  
DANIELSON HARRIGAN LEYH & TOLLEFSON LLP  
999 THIRD AVENUE, SUITE 4400  
SEATTLE, WASHINGTON 98104  
TEL., (206) 623-1700 FAX, (206) 623-8717

1 March 9, 2012 *Markman* hearing will advance the goals of the Local Patent Rules in narrowing  
2 the issues for trial and laying a foundation for further settlement discussions.

3 Based on the foregoing, it is hereby ORDERED THAT:

4 (1) On January 20, 2012, each party shall submit two opening claim construction  
5 briefs addressing the disputed claim terms reflected in Appendix A to the parties' Agreed  
6 Motion. Specifically, each party shall submit:

7 a. one opening claim construction brief (not to exceed 24 pages)  
8 addressing the disputed claim terms in the Motorola Asserted Patents; and

9 b. one opening claim construction brief (not to exceed 24 pages)  
10 addressing the disputed claim terms in the Microsoft Counterclaim Patents.

11 (2) On February 3, 2012, each party will submit two responsive claim construction  
12 briefs addressing the disputed claim terms reflected in Appendix A to the parties' Agreed  
13 Motion. Specifically, each party shall submit:

14 a. one responsive claim construction brief (not to exceed 12 pages)  
15 addressing the disputed claim terms in the Motorola Asserted Patents; and

16 b. one responsive claim construction brief (not to exceed 12 pages)  
17 addressing the disputed claim.

18  
19 DONE IN OPEN COURT this \_\_\_ day of January, 2012.  
20  
21

22 \_\_\_\_\_  
HONORABLE JAMES L. ROBERT

Presented by:

DANIELSON HARRIGAN LEYH &  
TOLLEFSON LLP

SUMMIT LAW GROUP PLLC

By /s/ Christopher Wion  
Arthur W. Harrigan, Jr., WSBA #1751  
Christopher Wion, WSBA #33207  
Shane P. Cramer, WSBA #35099

By /s/ Philip S. McCune  
Philip S. McCune, WSBA #21081  
Lynn M. Engel, WSBA #21934  
*philm@summitlaw.com*  
*lynne@summitlaw.com*

T. Andrew Culbert, WSBA #35925  
David E. Killough, WSBA #21119  
MICROSOFT CORPORATION  
1 Microsoft Way  
Redmond, WA 98052  
Phone: 425-882-8080  
Fax: 425-869-1327

Steven Pepe (*pro hac vice*)  
Jesse J. Jenner (*pro hac vice*)  
Stuart W. Yothers (*pro hac vice*)  
Ropes & Gray LLP  
1211 Avenue of the Americas  
New York, NY 10036-8704  
(212) 596-9046  
*steven.pepe@ropesgray.com*  
*jesse.jenner@ropesgray.com*  
*stuart.yothers@ropesgray.com*

John W. McBride, (*pro hac vice*)  
David T. Pritikin, (*pro hac vice*)  
Richard A. Cederoth, (*pro hac vice*)  
Douglas I. Lewis, (*pro hac vice*)  
SIDLEY AUSTIN LLP  
One South Dearborn  
Chicago, IL 60603  
Phone: 312-853-7000  
Fax: 312-853-7036

Norman H. Beamer (*pro hac vice*)  
Gabrielle E. Higgins (*pro hac vice*)  
Ropes & Gray LLP  
1900 University Avenue, 6<sup>th</sup> Floor  
East Palo Alto, CA 94303-2284  
(650) 617-4030  
*norman.beamer@ropesgray.com*  
*gabrielle.higgins@ropesgray.com*

Brian R. Nester, (*pro hac vice*)  
Kevin C. Wheeler, (*pro hac vice*)  
SIDLEY AUSTIN LLP  
1501 K Street NW  
Washington, DC 20005  
Telephone: 202-736-8000  
Fax: 202-736-8711

Paul M. Schoenhard (*pro hac vice*)  
Kevin J. Post (*pro hac vice*)  
Ropes & Gray LLP  
One Metro Center  
700 12<sup>th</sup> Street NW, Suite 900  
Washington, DC 20005-3948  
(202) 508-4693  
*paul.schoenhard.@ropesgray.com*  
*kevin.post@ropesgray.com*

**Counsel for Microsoft Corp.**

**Counsel for Motorola Solutions, Inc.,  
Motorola Mobility, Inc., and General  
Instrument, Corp.**

**CERTIFICATE OF SERVICE**

I hereby certify that on January 12, 2012, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

**Attorneys for Microsoft Corporation**

Arthur W. Harrigan, Jr.  
Christopher Wion  
Shane P. Cramer

T. Andrew Culbert  
David E. Killough

John W. McBride  
David T. Pritikin  
Richard A. Cederoth  
Douglas I. Lewis

Brian R. Nester  
Kevin C. Wheeler

---

Susie Clifford